



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL AND MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 18, 2019

Rebecca Cain, Chief Assistant Attorney General
Commercial, Fair Business, and Child Support Section, Civil Division
Department of Law
1031 W 4th Avenue
Anchorage, AK 99501

Dear Ms. Cain:

I'm writing to express my confusion and consternation at the reassignment of Assistant Attorney General Harriet Milks. As you know, Ms. Milks has been counsel to the Alcoholic Beverage Control (ABC) Board for over seven years, and counsel to the Marijuana Control (MC) Board since its creation in 2015. She was heavily involved in the drafting of the initial set of marijuana regulations and has worked on the 77 regulations changes that the MC board has initiated since.

Ms. Milks' service to both boards during these years has been exemplary. She has provided solid legal advice to the boards and the AMCO staff. In fact, Ms. Milks has assisted the ABC Board in resolving several difficult situations caused by inaccurate legal advice from a previous inexperienced AAG. Nobody in the Department of Law has a deeper or more complete understanding of Title 04, Chapter 17.38, and the regulations at 3 AAC 304 and 306. Ms. Milks' service has provided stability over four AMCO/ABC Board directors and the ever changing make-up of the ABC and MC boards.

As the current agency director and primary client, I have been more than fully satisfied by Ms. Milks' dedicated work. She is always immediately responsive to me and assists with whatever issue that I or my staff bring to her. I frequently draw on her years of experience and knowledge regarding board decisions and interpretations, and statutory and regulatory changes. I can't speak highly enough of the quality of her work, her character and integrity, and her work ethic.

Thus the unexpected and sudden reassignment of Ms. Milks is extremely unwelcome. As the client, I was not consulted, and no reason for the reassignment has been provided to me. The timing of the reassignment, following an uncomfortable ABC Board meeting, raises questions. Beyond the AMCO office and the board as the client, one must count the 1,900 or so alcohol licensees, the 385 marijuana licensees, and the thousands of Alaskans employed by these licensees who are affected by board decisions and staff actions. The loss of Ms. Milks as counsel disrupts the continuity of legal representation and is a disturbing mismanagement of client relations. While I am in no way intending to cast aspersions on the new AAG assigned to the boards, I have an extreme workload with regular "emergencies" and depend heavily on counsel to respond quickly and accurately to my requests. To remove Ms. Milks with her years of experience and knowledge and replace her with an attorney who has no experience in the alcohol and marijuana programs, for no reason, is inexplicable.

Rebecca Cain, Chief Assistant Attorney General

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I would like to be informed as to the reason for Ms. Milks' reassignment. I am aware of no allegations of wrong-doing. If there is no reason, I request that the reassignment be reversed and that Ms. Milks be directed to continue as AAG for the ABC Board and MC Board.

Sincerely,



Erika McConnell

Director

CC: Kevin Clarkson, Attorney General
Treg Taylor, Deputy Attorney General
Ed Sniffen, Deputy Attorney General
Joanne Grace, Civil Division Director

Bob Klein, Chair, Alcoholic Beverage Control Board
Mark Springer, Chair, Marijuana Control Board